

State of Vermont

Buildings and General Services
Office of Purchasing & Contracting
10 Baldwin St
Montpelier VT 05633-7501
USA

CONTRACT



Vendor ID 0000015297
Atrion Networking Corporation
PO Box 842083
Boston MA 02284-2083
USA

Contract ID 0000000000000000000017808		Page 1 of 5
Contract Dates 07/06/2010 to 06/30/2015		Origin CPS
Description: CPS - NETWORKING EQUIPMENT		Contract Maximum \$9,999,999.00
Buyer Name Stephen A Fazekas	Buyer Phone	Contract Status Approved

Phone #: 401/736-6400

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1		CISCO HARDWARE AND SOFTWARE	EA	0.00100	0.00	0.00

PRICING FOR STATE DEPARTMENTS AND AGENCIES:

HARDWARE AND SOFTWARE PRODUCTS (EXCLUDING SMARTMET) PURCHASED THRU DISTRIBUTION - 39% OFF LIST
HARDWARE AND SOFTWARE PRODUCTS (EXCLUDING SMARTNET) PURCHASED DIRECT FROM CISCO - 41% OFF LIST
SMARTNET FOR NEW OR EXISTING PRODUCT PURCHASED FROM ATRION - 18% OFF LIST
SMARTNET RENEWAL FOR EQUIPMENT PURCHASED FROM ANOTHER VENDOR. - 8% OFF LIST.

PRICING FOR POLITICAL SUBDIVISIONS:

37% OFF CISCO PRODUCTS & SOFTWARE PURCHASED THRU DISTRIBUTION
39% OFF CISCO PRODUCTS AND SOFTWARE PURCHASED DIRECT FROM CISCO
16% OFF NEW OR EXISTING SMARTNET FROM ATRION;
6% OFF SMARTNET RENEWALS FROM ANOTHER VENDOR.

PRICING FOR EDUCATION: K-12, AND COLLEGES AND UNIVERSITIES:

37% OFF LIST FOR CISCO PRODUCTS AND SOFTWARE IF PURCHASED THRU DISTRIBUTION.
39% OFF LIST FOR CISCO PRODUCTS AND SOFTWARE IF PURCHASED DIRECT FROM CISCO.
FOR SUPPORT ATRION WILL EXTEND EDUCATIONAL PRICING

2		SERVICE - INSTALLATION AND POST SALES SUPPORT	EA	0.00100	0.00	0.00
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SERVICE AVAILABLE FOR ROUTING AND SWITCHING SPECIALISTS, DESIGN SPECIALISTS, VPN & SECURITY SPECIALISTS, VOICE AND VIDEO DESIGN SPECIALISTS, WIRELESS LAN SPECIALISTS

RESOURCE	HOURLY RATE	AFTER HOURS RATE
LEVEL 1 ENGINEER	\$125.00 / HR	\$187.50 / HR
LEVEL 2 ENGINEER	\$150.00 / HR	\$225.00 / HR
LEVEL 3 ENGINEER	\$175.00 / HR	\$262.50 / HR
LEVEL 4 ENGINEER	\$225.00 / HR	\$337.50 / HR
PROJECT MANAGER	\$175.00 / HR	N/A

CONTRACT TERMS AND ADDITIONAL INFORMATION

CONTRACT TERM: CONTRACT IS WRITTEN FOR AN INITIAL TWO YEAR TERM WITH OPTIONS TO EXTEND FOR TWO ADDITIONAL ONE YEAR TERMS. THE INITIAL CONTRACT PERIOD IS JULY 06, 2010 TO JULY 31, 2012.

PERFORMANCE MEASUREMENTS

1. DELIVERY IS REQUIRED WITHIN TWO WEEKS OF ACCEPTANCE OF A PURCHASE ORDER, UNLESS THE SUPPLIER HAS ADVISED THE CUSTOMER ON AN ALTERNATE DELIVERY SCHEDULE.
(EXAMPLE- LONGER LEADTIME DUE TO MANUFACTURING CYCLE WHEN ORDERED FROM OEM)
THE ACCEPTABLE QUALITY LEVEL FOR ON TIME DELIVERY WILL BE 99%; THE CUSTOMER WILL REPORT ANY DELIVERIES THAT DO NOT MEET THE SELLERS PROMISED DELIVERY DATE TO THE STATE CONTRACT MANAGER. CONTRACTORS DELIVERY PERFORMANCE WILL BE REVIEWED IN PERIODIC CONTRACT REVIEW MEETINGS BETWEEN THE SOV AND THE CONTRACTOR.

2. THE CONTRACTOR MUST COMPLETE THE REPORTING REQUIREMENTS OUTLINED IN THE RFP AND IN THIS CONTRACT. A FAILURE BY THE CONTRACTOR TO COMPLETE THEIR QUARTERLY REPORTING ON TIME FOR TWO CONSECUTIVE QUARTERS WILL RESULT IN A CONTRACT REVIEW WITH POTENTIAL CONSEQUENCES AS SEVERE AS TERMINATION.

3. ORDERING - SUPPLIER MUST RESPOND TO CUSTOMERS REQUESTS FOR TECHNICAL INFORMATION, PRICING, AND DELIVERY INFORMATION WITHIN 48 HOURS OR LESS OF THE FIRST CONTACT BY THE CUSTOMER. THE CUSTOMER WILL REQUIRE A 99% COMPLIANCE TO THIS REQUIREMENT, WITH THE CUSTOMER REPORTING ANY CONTRACTOR NON-COMPLIANCE TO THE STATE CONTRACT MANAGER. CONTRACTORS CUSTOMER RESPONSE PERFORMANCE WILL BE REVIEWED IN PERIODIC CONTRACT REVIEW MEETINGS BETWEEN THE SOV AND THE CONTRACTOR.

4. THE CONTRACTOR MUST MAINTAIN THEIR CISCO GOLD CERTIFICATION LEVEL, THE STATE CONTRACT MANAGER WILL CHECK THE CONTRACTORS CERTIFICATION LEVEL / RATING QUARTERLY WITH CISCO. SHOULD THE SUPPLIER FAIL TO MAINTAIN THE "GOLD" CERTIFICATION THE STATE MAY TERMINATE THIS CONTRACT.

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REPORTING PERIOD: APRIL 1 - JUNE 30 ** REPORT DUE: JULY 15						
REPORTING PERIOD: JULY 1 - SEPTEMBER 30 ** REPORT DUE: OCTOBER 15						
REPORTING PERIOD: OCTOBER 1 - DECEMBER 31 ** REPORT DUE: JANUARY 15						

THIS CONTRACT IS ALSO ISSUED ON BEHALF OF THE VERMONT STATE COLLEGES INC., A SEPARATE CORPORATION, HAVING UNDER ITS JURISDICTION CASTLETON STATE COLLEGE, JOHNSON STATE COLLEGE, LYNDON STATE COLLEGE, COMMUNITY COLLEGE OF VT AND THE VERMONT TECHNICAL COLLEGE. THIS ALSO APPLIES TO THE UNIVERSITY OF VERMONT. THE DISCOUNT PLAN FOR THE STATE COLLEGES AND UNIVERSITY OF VERMONT WILL DIFFER FROM THE PRICE PLAN FOR STATE AGENCIES AND DEPARTMENTS.

DISCOUNTS FOR THESE ENTITIES ARE:

37% OFF LIST FOR CISCO PRODUCTS AND SOFTWARE IF PURCHASED THRU DISTRIBUTION.
39% OFF LIST FOR CISCO PRODUCTS AND SOFTWARE IF PURCHASED DIRECT FROM CISCO.
FOR SUPPORT ATRION WILL EXTEND EDUCATIONAL PRICING

POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN THIS CONTRACT. THE DISCOUNT PLAN FOR POLITICAL SUB DIVISIONS WILL DIFFER FROM THE PRICE PLAN FOR STATE AGENCIES AND DEPARTMENTS. THE DISCOUNTS FOR THESE ENTITIES ARE AS FOLLOWS:

37% OFF CISCO PRODUCTS & SOFTWARE PURCHASED THRU DISTRIBUTION
39% OFF CISCO PRODUCTS AND SOFTWARE PURCHASED DIRECT FROM CISCO
16% OFF NEW OR EXISTING SMARTNET FROM ATRION;
6% OFF SMARTNET RENEWALS FROM ANOTHER VENDOR.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER/PURCHASE ORDER # ON ALL CORRESPONDENCE, DELIVERY DOCUMENTS AND INVOICES.

CUSTOMER SATISFACTION SURVEY: TO HELP US UNDERSTAND HOW WE CAN BETTER SERVE YOU, WE ARE INTERESTED IN RECEIVING YOUR COMMENTS REGARDING THE QUALITY OF SERVICE YOU RECEIVED IN YOUR MOST RECENT INTERACTION WITH THE DEPARTMENT OF BUILDINGS & GENERAL SERVICES (BGS). PLEASE COMPLETE THE ON-LINE CUSTOMER COMMENT FORM AT:
http://www.bgs.state.vt.us/forms/bgs_surveys/index.php?type=customer&action=customer

ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS & GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY.

CONTACT INFORMATION: TO PLACE ORDERS CONTACT STEVE JORDAN @603-553-9226, sjordan@atrion.net.

***** AMENDMENT #1 *****

AMENDMENT #1 - DATE 07/11/2012 - THE STATE IS HEREBY ELECTING TO EXERCISE RENEWAL YEAR ONE THEREBY EXTENDING THE PERIOD OF PERFORMANCE UNDER THIS AGREEMENT FOR ONE YEAR TO JULY 31, 2013 UNDER THE SAME PRICING, TERMS AND CONDITIONS.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS CONTRACT AMENDMENT IS SIGNED, CONTRACTOR IS IN GOOD STANDING WITH RESPECT TO, OR IN FULL COMPLIANCE WITH, A PLAN TO PAY ANY AND ALL TAXES DUE THE STATE OF VERMONT.

TERMS AND CONDITIONS: ATTACHMENT C: STANDARD STATE PROVISIONS FOR CONTRACTS AND GRANTS DATED 07/01/12 AND ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED 11/10/10 SUPERSEDED ATTACHMENT C: STANDARD STATE PROVISIONS FOR CONTRACTS AND GRANTS DATED 01/08/09 OR 01/10/11 AND ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED 12/05/08.

***** AMENDMENT #2 *****

AMENDMENT #2 - DATE 07/19/2013 - THE STATE IS HEREBY ELECTING TO EXERCISE RENEWAL YEAR TWO THEREBY EXTENDING THE PERIOD OF PERFORMANCE UNDER THIS AGREEMENT FOR ONE YEAR TO JULY 31, 2014 UNDER THE SAME PRICING, TERMS AND CONDITIONS.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS CONTRACT AMENDMENT IS SIGNED, CONTRACTOR IS IN GOOD STANDING WITH RESPECT TO, OR IN FULL COMPLIANCE WITH, A PLAN TO PAY ANY AND ALL

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TAXES DUE THE STATE OF VERMONT.						

TERMS AND CONDITIONS: ATTACHMENT C: ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS FOR CONTRACTS AND GRANTS DATED 11/07/12 SEE ATTACHED, WHICH SUPERSEDES ALL PRIOR VERSIONS OF ATTACHMENT C.

ATTACHMENT D: ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED 11/10/10 SEE ATTACHED, WHICH SUPERSEDES ALL PRIOR VERSIONS OF ATTACHMENT D.

***** AMENDMENT #3 *****

AMENDMENT #3 - 07/22/2014 - THE STATE IS HEREBY EXTENDING THE PERIOD OF PERFORMANCE UNDER THIS AGREEMENT FOR SIX MONTHS TO JANUARY 31, 2015 UNDER THE SAME PRICING, TERMS AND CONDITIONS.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS CONTRACT AMENDMENT IS SIGNED, CONTRACTOR IS IN GOOD STANDING WITH RESPECT TO, OR IN FULL COMPLIANCE WITH, A PLAN TO PAY ANY AND ALL TAXES DUE THE STATE OF VERMONT.

TERMS AND CONDITIONS: ATTACHMENT C: ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS FOR CONTRACTS AND GRANTS DATED 06/09/14 SEE ATTACHED, WHICH SUPERSEDES ALL PRIOR VERSIONS OF ATTACHMENT C.

***** AMENDMENT #4 *****

AMENDMENT #4 - 01/30/2015 - THE STATE IS HEREBY EXTENDING THIS CONTRACT TO A PERIOD OF PERFORMANCE OF MARCH 31, 2015 UNDER THE SAME PRICING.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS CONTRACT AMENDMENT IS SIGNED, CONTRACTOR IS IN GOOD STANDING WITH RESPECT TO, OR IN FULL COMPLIANCE WITH, A PLAN TO PAY ANY AND ALL TAXES DUE THE STATE OF VERMONT.

TERMS AND CONDITIONS: ATTACHMENT C: ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS FOR CONTRACTS AND GRANTS DATED 09/02/14 SEE ATTACHED, WHICH SUPERSEDES ALL PRIOR VERSIONS OF ATTACHMENT C.

***** AMENDMENT #5 *****

AMENDMENT #5 - 03/09/2015 - THE STATE IS HEREBY EXTENDING THIS CONTRACT TO A PERIOD OF PERFORMANCE OF JUNE 30, 2015 UNDER THE SAME PRICING, TERMS AND CONDITIONS.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS CONTRACT AMENDMENT IS SIGNED, CONTRACTOR IS IN GOOD STANDING WITH RESPECT TO, OR IN FULL COMPLIANCE WITH, A PLAN TO PAY ANY AND ALL TAXES DUE THE STATE OF VERMONT.

Stephen Fazekas
Technology Procurement Administrator
Office of Purchasing & Contracting
10 Baldwin Street
Montpelier, VT 05633-7501
E-Mail: Stephen.Fazekas@state.vt.us
Phone:802-828-2210
Fax:802-828-2222

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WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT

By the CONTRACTOR

Date: _____

Date: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Email: _____

Email: _____